

REMARKS

In an Official Action dated May 27, 2008, the Examiner has indicated that restriction to one of the following inventions is required under 35 U.S.C. § 121:

- Group I: claims 1 and 8-10,
- Group II: claims 2 and 4,
- Group III: claim 3,
- Group IV: claim 5,
- Group V: claim 6,
- Group VI: claim 7, and
- Group VII: claims 11-15,

As set forth in M.P.E.P. Section 803, there are two criteria for a proper restriction requirement between patentably distinct inventions: (1) the inventions must be independent or distinct as claimed; and (2) there must be a **serious burden** on the Examiner if restriction is not required. This portion of the M.P.E.P. requires that if the search and examination of an entire application can be made without serious burden, the Examiner **must** examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants submit that the restriction requirement does not meet both of these requirements, and therefore is in error. Due to the nature and relationship of subject matter claimed in Groups I-VII, examination of all claims in Groups I-VII together in a single application does not pose an undue burden on the Examiner. All claims in the application have already been searched and examined. Multiple Official Actions on the merits of all claims have been issued and responses submitted. Since all of the now identified groups were searched and examined together in preparation for the

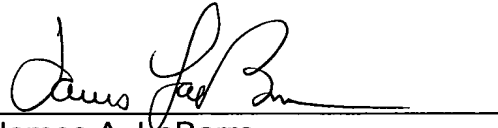
earlier Official Actions, there is no serious burden on the Examiner to continue to examine the claims together.

Accordingly, reconsideration and withdrawal of the aforementioned restriction requirement is respectfully requested. In order that this response be considered complete, Applicants provisionally elect Group I, the subject matter of claims 1 and 8-10, with traverse. The provisional restriction is hereby made without prejudice to Applicants' right to further contest the propriety of the restriction requirement at this stage of examination, if it is not withdrawn.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: June 27, 2008

By: 
James A. LaBarre
Registration No. 28632

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620